IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

Notice of Motion No. 2879 of 2005
In
Appeal (Lodging) No. 968 of 2005
In
Arbitration Petition No. 108 of 2005

Sumer Mal Daga .. Appellant
V/s.
S. Kumars Online Ltd. .. Respondents

Mr. S.S. Purohit i/b. Mr. D.B. Parmar for the Appellant
Mr. M.N. Ramalingaiah for the Respondents

CORAM : DR. S. RADHAKRISHNAN &
S.C. DHARMADHIKARI, JJ.
DATED : 07.10.2005.

P.C.:-

1. Heard the learned counsel for the Appellant and the Respondents. By this Notice of Motion, the Appellant is seeking condonation of 73 days delay in filing the above Appeal. Leave to annex the Affidavit in Reply in the compilation of Memo of Appeal.

2. Perused the Affidavit in support of the Notice of Motion and the Affidavit in Reply. Sufficient cause is made out. There is no case of inaction, negligence or want of bonafide. Notice of Motion is made absolute in terms of prayer clause (a).

3. Place the Appeal on Board for admission on 19.10.2005, subject to numbering.

(DR. S. RADHAKRISHNAN, J.)

(S.C. DHARMADHIKARI, J.)